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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/238,163	01/28/1999	HIROSHI SUMIYAMA	032567-002	6659

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EXAMINER

NGUYEN, MADELEINE ANH VINH

ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 11/23/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/238,163

Applicant(s)

Hiroshi Sumiyama

Examiner
Madeleine AV Nguyen

Group Art Unit
2622



☐ Responsive to communication(s) filed on _____

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1-18 is/are pending in the application

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-18 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hattori (US Patent No. 5,532,792) in view of Hanamoto (US Patent No. 5,152,001).

Concerning claim 1, Hattori discloses an image forming apparatus comprising a memory for storing image data; an image output unit for outputting the image data stored in the first memory under image forming conditions; command means for generating a command of discharging the image data being output from the image output unit; a controller for discarding the image data stored in the memory when the command discarding the image data is generated by the command means.

Hattori does not teach a memory for storing image forming conditions. However, it was commonly known in the art that a conventional image forming apparatus has a memory for storing the image forming conditions in order for the CPU to read them and control the image forming apparatus based on these conditions. For instance, in the Background of the Invention, Hattori teaches a laser printer is equipped with an operation panel which provided with setting keys and

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setting switches for setting various modes on the print process and a print stop key for enforcedly stopping the print process (col. 1, lines 24-27). Thus, the laser printer must include a memory for storing user's input from the panel in order to process the data for printing according to user's desire. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to consider a memory in Hattori for storing image forming conditions as a matter of well known in the art since Hattori also teaches a memory RAM 53 having various memories for storing transmission data for printing (col. 3, lines 57-65). In addition, Hanamoto discloses a copying apparatus that automatically stored copying conditions input from an input device (Abstract). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to combine the memory for storing copying conditions in Hanamoto to Hattori since Hattori teaches a memory RAM 53 having various memories for storing different kind of information (col. 3, lines 57-65; col. 4, lines 40-49).

Hattori does not directly teach that the stored image forming conditions is maintained after the discarding of the image data in the memory and in the image output unit. However, Hattori teaches the input of the initial setting print conditions, programs for running the image forming apparatus and after the printing interruption, the control routine is returned to the main routine; and when the print process is started again, the laser driving signal from the laser driving signal output port OPL is supplied to the driving circuit 64 (col. 5, lines 23-29) without mentioning the deletion of the setting conditions. Hanamoto teaches that the memory forming conditions is maintained after the interruption of the printing process. It would have been obvious at the time

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the invention was made to a person having ordinary skill in the art to combine the teaching of saving the stored image forming conditions after the interruption of the printing process in Hanamoto to Hattori since Hattori teaches that after the interruption of the printing process and the printing process is started again, the print process returns to the main routine of the previous printing process.

Concerning claims 2-3, 5, 6, 9, Hattori further teaches an image input unit for inputting the image data (62, 80, Fig.2); an output means (printing part, Fig.1) for causing the output unit to output image data; the output control (CPU 59, Fig.2); means gives priority to the newly inputted image data to be output under the maintained image forming conditions over the rest of the image data and the image input unit and the image output unit operate independently (col. 4, line 27 - col. 5, line 38).

Concerning claims 2-9, Hanamoto further teaches an image reader (10, Fig.1); output means for causing the output unit to output image data newly input from the image input unit under the maintained image forming conditions (Fig.1); means for changing the maintained image forming conditions; the output control means gives priority to the newly inputted image data to be output under the maintained image forming conditions over the rest of the image data; if the image reader is reading another original, the command means generates a command for suspending the reading operation, and at the same time, it generates a command of discarding the image data being output after the reading operation for another original (Figs.1, 4-7; Abstract; col. 2, lines 20-62; col. 4, line 8 - col. 6, line 57).

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Claims 10-18, Hattori in view of Hanamoto discloses the claimed subject matters as discussed in claims 1-9.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Kawabuchi et al (US Patent No. 5,740,496) discloses an image forming apparatus wherein data corresponding to the printing operation or the data corresponding to the printing operation which is to be discarded is selected.

b. Hansen (US Patent No. 5,535,009) teaches a copier/printer operating with interrupts.

c. Hurtz et al (US Patent No. 5,170,397) recites an apparatus for recovering from object faults in a printing system.

d. Chen et al (US Patent No. 5,684,934) discloses a page repositioning for print job recovery.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Madeleine Anh-Vinh Nguyen whose telephone number is (703) 305-4860.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Any response to this action should be mailed to:

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Commissioner of Patents and Trademarks
Washington, DC 20231

or faxed to:

(703) 308-9051 (for formal communication at s intended for entry)

(703) 308-9051 (for informal or draft communications, such as proposed amendments to be discussed an interview; please label such communications "PROPOSED" or "DRAFT")

or hand-carried to:

Crystal Park Two
2121 Crystal Drive
Arlington. VA.
Sixth Floor (Receptionist)



Madeleine Anh-Vinh Nguyen
Primary Examiner
Art Unit 2722
November 16, 2001